



CITY OF MILFORD, NEBRASKA
COUNCIL AGENDA

Wednesday, February 15, 2023, 7:00 pm

All agenda items are for discussion and action will be taken as deemed appropriate. The City Council reserves the right to go into executive session in accordance with Section 84-1410.

1. CALL TO ORDER

Pursuant to Section 84-1412(8) of the Nebraska Open Meeting Act a current copy of the Open Meetings Act is posted on the west wall of this meeting room and is available for viewing by the public.

1. Roll Call
2. Pledge of Allegiance
3. Approve agenda as submitted.

2. CONSENT AGENDA The following items are considered to be routine by the city council and will be enacted by one motion. There will be no separate discussion of these items unless a city council member or citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.

- a. Approve Minutes from February 7, 2023
- b. Appointments to Boards and Committees

3. PUBLIC HEARING

- a. Public Hearing to hear testimony in favor of, or opposition to, and to answer questions in relation to a proposed Conditional Use Permit located at 521 First Street, Schildt Addition Lot 1, to place a storage shed at the rear of the property.
- b. Public Hearing to hear testimony in favor of, or opposition to, and to answer questions in relation to a proposed Conditional Use Permit located at 503 First Street, to operate a restaurant/bar facility as well as placing an outside cooler storage at the rear of the property.
- c. Public Hearing to hear testimony in favor of, or opposition to, and to answer questions in relation to placing the matter of conducting a keno lottery in Milford, NE on a special election ballot.

4. CURRENT BUSINESS

- a. Consider a Conditional Use Permit located at 521 First Street, Schildt Addition Lot 1, to place a storage shed at the rear of the property.
- b. Consider a Conditional Use Permit located at 503 First Street, to operate a restaurant/bar facility as well as placing an outside cooler storage at the rear of the property.

5. RESOLUTION

RESOLUTION NO. 646 – A RESOLUTION OF THE CITY OF MILFORD, NEBRASKA, AUTHORIZING THE PLACEMENT OF THE ISSUE OF ESTABLISHING AND CONDUCTING THE OPERATION OF A KENO LOTTERY SYSTEM WITHIN THE BOUNDARIES OF THE CITY OF MILFORD, NE FOR THE PURPOSE OF COMMUNITY BETTERMENT ON A SPECIAL ELECTION TO BE HELD ON MAY 9, 2023.

RESOLUTION NO. 647 - A RESOLUTION TO ADOPT A POLICY OPPOSING DISCRIMINATION IN THE ACQUISITION, OWNERSHIP, POSSESSION OR ENJOYMENT OF HOUSING; TO ASSIST AGGRIEVED PERSONS IN FILING COMPLAINTS BY PROVIDING CERTAIN INFORMATION.

RESOLUTION NO. 648 - A RESOLUTION OF THE CITY OF MILFORD, NEBRASKA, APPROVING THE EXPENDITURE OF PUBLIC FUNDS FOR NONALCOHOLIC BEVERAGES AND MEALS FOR AN ANNUAL RECOGNITION EVENT ACKNOWLEDGING THE RETIREMENT AND YEARS OF SERVICES OF THE CHIEF OF POLICE, AND ESTABLISHING THE MAXIMUM COST PER ATTENDEE AT SUCH RECOGNITION EVENT.

6. ADJOURNMENT

CITY OF MILFORD
SPECIAL MEETING
FEBRUARY 15, 2023
MINUTES

A special meeting of the Mayor and Council of the City of Milford, Nebraska was held at the City Hall Building in said City on the 15th day of February 2023 at 7:00 pm. Present were Mayor Patrick Kelley; Council members: Tony DeLong, Becky Freeman, Kelli Keib, Mike Roth; Attorney Anthony Aerts and City Clerk Jeanne Hoggins. Also present: Rod Schildt, Todd Vegas and Emily Hemphill.

Notice of the meeting was given in advance thereof by publishing in the Milford Times a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of the meeting was given to the mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

CALL TO ORDER: Mayor Kelley called the meeting to order at 7:00 pm. and publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the west wall in the City Hall meeting room.

PLEDGE OF ALLEGIANCE:

APPROVE AGENDA AS SUBMITTED: A motion was made by Freeman and seconded by DeLong to approve the agenda as submitted. Roll call vote: Freeman yes, DeLong yes, Keib yes, Roth yes. Motion carried.

CONSENT AGENDA: Mayor Kelley read the Consent Agenda:

a. Approve Minutes: February 7, 2023

b. Appointments to Boards and Committees (List attached to these minutes)

A motion was made by DeLong and seconded by Roth to approve items on the consent agenda as read. Roll call vote: DeLong yes, Roth yes, Freeman yes, Keib yes. Motion carried.

PUBLIC HEARINGS:

Public Hearing to hear testimony in favor of, or opposition to, and to answer questions in relation to a proposed Conditional Use Permit located at 521 First Street, Schildt Addition Lot 1, to place a storage shed at the rear of the property.

Mayor Kelley opened the public hearing at 7:04 pm. Rod Schildt noted they had a storage unit rented that was inaccessible, too small and inconvenient. They decided to look into this storage unit which has double doors, ground level and close to the office. The Planning Commission held a meeting Monday evening and are making a recommendation to approve the conditional use permit as submitted. With no further questions, Mayor Kelley closed the public hearing at 7:06 pm.

Public Hearing to hear testimony in favor of, or opposition to, and to answer questions in relation to a proposed Conditional Use Permit located at 503 First Street, to operate a restaurant/bar facility as well as placing an outside cooler storage at the rear of the property.

Mayor Kelley opened the public hearing at 7:06 pm. Owner of the Uptown Tavern, Todd Vegas noted not much to discuss. Mayor Kelley mentioned that changes should be made to the C-1 Zoning District to include restaurants/bars under the permitted uses. Discussion was held regarding the outside cooler being enclosed per building requirements. With no further comments, Mayor Kelley closed the public hearing at 7:11 pm.

Public Hearing to hear testimony in favor of, or opposition to, and to answer questions in relation to placing the matter of conducting a keno lottery in Milford, NE on a special election ballot.

Mayor Kelley opened the public hearing at 7:11 pm. No initial questions or comments were asked. Clerk Hoggins asked about the machine type games. Todd Vegas stated they are already permitted to have those and they are considered "games of skill". Mayor Kelley commented that this will be a great benefit to the community. With no further questions or comments, Mayor Kelley closed the public hearing at 7:13 pm.

CURRENT BUSINESS:

Consider a Conditional Use Permit located at 521 First Street, Schildt Addition Lot 1, to place a storage shed at the rear of the property. A motion was made by Keib and seconded by Roth to approve the conditional use permit located at 521 First Street, Schildt Addition Lot 1, to place a storage shed at the rear of the property. DeLong asked if this was related to the new shed currently located behind the business now. Rod Schildt stated yes, it is. Roll call vote: Keib yes, Roth yes, DeLong yes, Freeman yes. Motion carried.

Consider a Conditional Use Permit located at 503 First Street, to operate a restaurant/bar facility as well as placing an outside cooler storage at the rear of the property. A motion was made by Roth and seconded by Keib to approve the conditional use permit located at 503 First Street, to operate a restaurant/bar facility as well as placing an outside cooler storage at the rear of the property. Roll call vote: Roth yes, Keib yes, DeLong yes, Freeman yes. Motion carried.

RESOLUTIONS:

RESOLUTION NO. 646

A RESOLUTION OF THE CITY OF MILFORD, NEBRASKA, AUTHORIZING THE PLACEMENT OF THE ISSUE OF ESTABLISHING AND CONDUCTING THE OPERATION OF A KENO LOTTERY SYSTEM WITHIN THE BOUNDARIES OF THE CITY OF MILFORD, NEBRASKA, FOR THE PURPOSE OF COMMUNITY BETTERMENT ON THE BALLOT OF A SPECIAL ELECTION TO BE HELD ON MAY 9, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Milford, Nebraska that the issue of establishing and conducting the operation of a keno lottery system within the boundaries of the City of Milford for the purpose of community betterment be placed on the ballot of a special election to be held on May 9, 2023.

BE IT FURTHER RESOLVED, that the ballot language for said special election shall read as follows:

SHALL the City of Milford establish and conduct a keno lottery as permitted under the Nebraska County and City Lottery Act for the purpose of "community betterment," as such term is defined in said Act?

Yes (For Such Lottery)

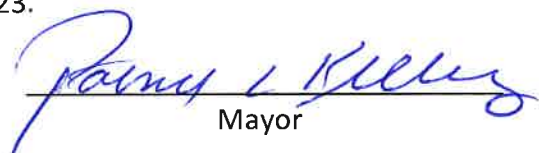
No (Against Such Lottery)

Roll call vote: DeLong yes, Roth yes, Freeman yes, Keib yes. Motion carried.

Passed and approved this 15th day of February 2023.

Attest:


City Clerk


Mayor



CERTIFICATE OF MUNICIPAL CLERK

The undersigned hereby certifies that she is the lawfully acting Clerk of the City of Milford, Nebraska, and pursuant to Sec. 32-559, R.R.S. 1943, hereby certifies to the County Clerk or Election Commissioner of Seward County, Nebraska, that the governing body of the City of Milford, Nebraska, duly resolved and ordained to submit the following issue, to-wit:

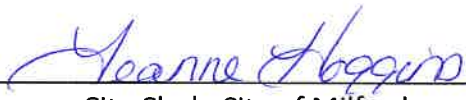
SHALL the City of Milford establish and conduct a keno lottery as permitted under the Nebraska County and City Lottery Act for the purpose of "community betterment," as such term is defined in said Act?

Yes (For Such Lottery)

No (Against Such Lottery)

to the registered voters of the City of Milford, Nebraska, at a special election to be held on the 9th day of May 2023, as per Resolution No. 646 approved by the City Council at a regularly scheduled meeting on the 15th day of February 2023, a copy of which is attached hereto.

Dated this 15th day of February 2023.



City Clerk, City of Milford

SAMPLE BALLOT

Special Election of May 9, 2023

City of Milford, Nebraska Keno Lottery Question

SHALL the City of Milford establish and conduct a keno lottery as permitted under the Nebraska County and City Lottery Act for the purpose of "community betterment," as such term is defined in said Act?

[] Yes (For Such Lottery)

[] No (Against Such Lottery)

RESOLUTION NO. 647

A RESOLUTION TO ADOPT A POLICY OPPOSING DISCRIMINATION IN THE ACQUISITION, OWNERSHIP, POSSESSION OR ENJOYMENT OF HOUSING; TO ASSIST AGGRIEVED PERSONS IN FILING COMPLAINTS BY PROVIDING CERTAIN INFORMATION.


BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILFORD, NEBRASKA, THAT;

1. It shall be the policy of the Governing Body to oppose discriminating practices on the basis of race, color, religion, national origin, handicap, familial status or sex in the acquisition, ownership, possession or enjoyment of housing in accordance with the Nebraska State Fair Housing Act and Article 1, Section 25 of the Constitution of the State of Nebraska; and
2. It shall be the policy of the Governing Body to assist aggrieved persons in filing complaints in regards to discriminatory housing practices by providing information on the Nebraska Fair Housing Act and the Nebraska Equal Opportunity Commission.

Roll call vote: Keib yes, Freeman yes, DeLong yes, Roth yes. Motion carried.

Passed and approved by the COUNCIL of the CITY OF MILFORD, Nebraska, this 15th day of February 2023.

Attest:


City Clerk


Mayor



RESOLUTION NO. 648

A RESOLUTION OF THE CITY OF MILFORD, NEBRASKA, APPROVING THE EXPENDITURE OF PUBLIC FUNDS FOR NONALCOHOLIC BEVERAGES AND MEALS FOR AN ANNUAL RECOGNITION EVENT ACKNOWLEDGING THE RETIREMENT AND YEARS OF SERVICES OF THE CHIEF OF POLICE, AND ESTABLISHING THE MAXIMUM COST PER ATTENDEE AT SUCH RECOGNITION EVENT.

WHEREAS, for a period of 38 years, Forest K. Siebken ("Siebken"), the Chief of Police of the City of Milford, Nebraska (the "City"), has provided diligent, devoted, and the highest quality of service to the City; and

WHEREAS, at a public meeting of the City Council on December 6, 2022, Siebken announced that he will be retiring from service to the City, effective April 21, 2023; and

WHEREAS, the City wishes to organize and hold an event open to the general public recognizing Siebken's retirement and years of service to the City; and

WHEREAS, Neb. Rev. Stat. § 13-2202 permits the governing body of municipalities to take formal action to approve the expenditure of public funds on nonalcoholic beverages and meals for one recognition event each year for each elected or appointed official of said municipality in an amount not to exceed fifty dollars per attendee at such event.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MILFORD, NEBRASKA, that the City of Milford hereby agrees and resolves as follows:

1. A recognition event in honor of Siebken's retirement and years of service to the City shall be organized and hosted by the City on a date in 2023 to be mutually determined by the Mayor and Siebken, and such recognition event shall be made open to the general public.

2. The City hereby approves and authorizes the expenditure of public funds to purchase nonalcoholic beverages and meal and / or food items for such recognition event in an amount not to exceed \$50.00 per attendee at such event, or \$500.00 in total.

Roll call vote: DeLong yes, Keib yes, Freeman yes, Roth yes. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF FEBRUARY 2023.

CITY OF MILFORD, NEBRASKA

ATTEST:

Jeanne Hoggins, City Clerk

BY:

Patrick L. Kelley, Mayor



ADJOURNMENT: A motion was made by Roth and seconded by Keib to adjourn the meeting. Roll call vote: Roth yes, Keib yes, DeLong yes, Freeman yes. Motion carried and meeting adjourned at 7:22 pm.


Jeanne Hoggins, City Clerk

Patrick L. Kelley, Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on February 15, 2023 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.




Jeanne Hoggins, City Clerk

Appointments:

Board of Adjustment (3-year term)

Ron Troyer – 2/15/23 thru 2/15/26

Recreation Board (3- year term)

Katie Sparks – 2/15/23 thru 2/15/26

Dainton Parks – 2/15/23 thru 2/15/26

Danae Plessel – 2/15/23 thru 2/15/26

Park Board (3-year term)

Samantha Kinnett – 2/15/23 thru 2/15/26

Pool Board (3-year term)

Whitney Parks – 2/15/23 thru 2/15/26

Planning Commission (3-year term)

Samantha Kinnett – 2/15/23 thru 2/15/26

(Replacements will need to be made. If you are aware of anyone interested in serving in this capacity, please share the name with Mayor Kelley.)

